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February 20, 2009

Ms. Karen L. Flaten
1603 S. Quillan Street
Kennewick, WA 99338

Re: *State of Montana v. Kyle Ray Campbell*
Case No. DC-08-115
2005 Hyundai Sonata

Dear Ms. Flaten:

I received your letter dated January 15, 2009 complaining about the seizure of your vehicle that was returned to you on January 9, 2009.

Your vehicle was seized on August 14, 2008 under a search warrant as part of a drug raid. As a result of this raid, four individuals were arrested on drug charges. This included the arrest of the driver of your vehicle, Mr. Campbell, for transporting in your vehicle a large amount of cocaine from the Tri-Cities Area in Washington (where you live) to Hamilton, MT. Importantly, your vehicle was identified in Hamilton, MT on multiple occasions for this drug transporting activity, including during the previous week on August 6, 2008. As you might realize, multiple trips by your "son's friend" transporting drugs to Montana in your vehicle is not the usual pattern observed for a "stolen vehicle."

Based on that evidence, forfeiture of the vehicle used to transport the cocaine was included in the charges against Mr. Campbell filed on August 15, 2008. District Court Judge James Haynes found probable cause to support the filing of the forfeiture charge in Montana District Court. It was only *after* Mr. Campbell was arrested on August 14th, charged with forfeiture of your vehicle, and appeared in court on these charges on August 15th (at 2:30 p.m. MDT) that you then reported your vehicle as a "stolen vehicle" in Kennewick, WA (at 7:10 p.m. MDT).

All four individuals arrested in the drug raid have now pled guilty to various drug-related charges. With respect to your vehicle, we reached an agreement with Mr. Campbell in December 2008 that contemplated him pleading guilty to criminal distribution of dangerous

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Ravalli County Commissioners

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This
is
their response
to letter sent
to BCC on
1/21/09

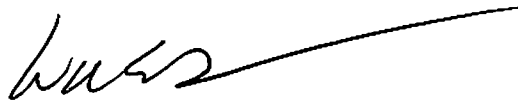
G.W

M. Karen L. Flaten
February 4, 2009
Page 2

drugs, without requiring the forfeiture of your vehicle. After Mr. Campbell accepted this offer, in a leap of faith we actually authorized release and accomplished the return of your vehicle even prior to Mr. Campbell actually appearing in Court and entering his guilty plea. The forfeiture charge was not actually dropped until Mr. Campbell pled guilty to distribution of dangerous drugs on January 29, 2009. Yet, in good faith, we actually released and returned your vehicle early.

It would be very unusual for me to communicate directly with an adverse party while the forfeiture was proceeding. I hope this clears up any confusion on your part as to the events surrounding the seizure of your vehicle during this drug investigation. I wish you the best in the future.

Sincerely,



William E. Fulbright

WEF/bp

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